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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

LIE, ANGELA M

ART UNIT PAPER NUMBER

2163

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/697,501

Applicant(s)

DODDINGTON, ANDREW

Examiner

Angela M. Lie

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/30/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
3. Claims 1-4, 7-17, 20-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Kamasaka et al (US Publication 2003/0194689).

As to claims 1, 14 and 27, Kamasaka discloses a method and system for identifying an XML document (paragraph 43, lines 3-8), comprising the steps of: obtaining a document (paragraph 5, lines 4-5); matching the document against a plurality of XML schemas (paragraph 6, lines 12-14 and paragraph 43, lines 3-8) that specify a set of document types (paragraph 7, lines 1-2); and based on the result of the matching steps (paragraph 7, lines 3-4), outputting information regarding the document

(paragraph 6, line 15; wherein storing information in the type index (600) is considered to be a form of output, i.e. information is outputted from the comparison stage into the memory).

As to claims 2 and 15, Kamasaka discloses the method and the system wherein the outputted information includes information regarding the identity of the document type (paragraph 6, lines 14-15).

As to claims 3 and 16, Kamasaka discloses the method and the system wherein the matching step includes determining match scores (paragraph 6, lines 12-15).

As to claims 4 and 17, Kamasaka discloses the method and the system wherein each of the match scores reflects the degree of closeness between the document and one of the XML schemas (paragraph 6, lines 21-24; wherein the type is considered as a schema).

As to claims 7 and 20, Kamasaka discloses the method and the system wherein determining the match scores includes determining the match scores by performing minimum-mismatch comparisons (paragraph 6, lines 18-20; wherein "plurality of types is satisfied" is equivalent with finding minimum mismatch).

As to claims 8 and 21, Kamasaka discloses the method and the system wherein the document is received from an external source (paragraph 5, lines 4-5; wherein the text database is considered to be an external source).

As to claims 9 and 22, Kamasaka discloses the method and the system wherein the external source uses the outputted information to perform a categorization process before performing further operations on the document (paragraph 6, lines 14-15).

As to claims 10 and 23, Kamasaka discloses the method and the system wherein the external source uses the outputted information to route the document (paragraph 6, lines 12-16, wherein classifying is a form of routing).

As to claims 11 and 24, Kamasaka discloses the method and the system wherein the external source uses the outputted information to determine whether to document passes a first-level validation (paragraph 5, wherein for instance matching the tag structure can correspond to the first-level validation).

As to claims 12 and 25, Kamasaka discloses the method and the system wherein the document is undergoing incremental change (paragraph 5).

As to claims 13 and 26, Kamasaka discloses the method and the system wherein the outputted information includes confirmation that the document conforms to a known document structure (paragraph 6, lines 16-20; wherein not finding a match means that the document structure is unknown, i.e. it does not match with existing schemas or types).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-6 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamasaka et al (US Publication 2003/0194689) in the view of Wheeler et al (US

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Patent 6618727). Kamasaka teaches the method and the system as disclosed in claims 4 and 17, respectively, wherein the matching score is generated as the result of comparison of the document with the plurality of schemas (types). Kamasaka does not specifically point out that a match score of zero indicates a perfect match and a non-zero match score indicates a mismatch. Wheeler teaches a system and a method for performing similarity searching wherein scoring method is used (column 11, lines 20-24). Wheeler also teaches that the score zero corresponds to the mismatch and a non-zero score corresponds to the match. It would have been obvious to one of the ordinary skill in the art during the time the invention was made to use score zero as to indicate a match and a non-zero score to indicate a mismatch because setting flags as to indicate true or false i.e. zero or non zero score, are well known in the art and they just are a matter of a pure design choice (as it is also suggested by Wheeler; column 11, line 24, he states: "typically indicated by zero", this implies that this condition does not need to be always a case).

The Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

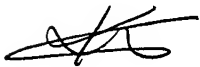
- US Publication 2005/0289172 discloses a system and a method for processing electronic documents, wherein two documents are compared i.e. an input document and a reference document.

Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela M. Lie whose telephone number is 571-272-8445. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Angela M Lie



**ALFORD KINDRED
PRIMARY EXAMINER**